

He was Republican in favoring the purchase; Federalist in arguing that the treaty was outside of the Constitution; Jeffersonian, finally, in trying to save the old theory of the Constitution and in urging an amendment to that instrument. The debate in the Senate was, on the Federalist side, more vigorous and able than it had been in the House, and the Republican Senators were driven to an embarrassment they could not hide. The bill passed again by a strict party vote.

Thus the treaty was ratified; but the constitutional difficulty was still unsettled. The dominant party had simply allowed the magnitude of the interest at stake to over-shadow all other considerations. They had not had the candor to acknowledge that the Constitution had provided for no such case nor the courage and consistency to go before the States for instructions. The acquisition doubled the area of the country and secured control of all the great river systems of North America. It was not surprising, therefore, that the overwhelming majority of the people of the United States, dazzled by a material gain so stupendous, were in no mind to engage in hair-splitting refinements over constitutional difficulties, or in gloomy forebodings as to the viciousness of the precedent thus set.

In March, 1804, a bill conferring upon the President autocratic power for the government of the purchased territory was forced through Congress. The pledge to France that the people of Louisiana should be admitted as citizens of the United States was kept only in so far as it granted an ultimate possibility of attaining statehood; but

in the intermediate stage the pledge was certainly violated, for the territorial government established was one in which the people of Louisiana had absolutely no share.

Congress, in 1804, for the first time, was brought face to face with the matter of impeachment. The President had submitted letters and affidavits against Pickering, a Federal judge, charging him with drunkenness and illegal and disorderly conduct. Judge Pickering, though summoned, did not appear, but a petition was presented from his son begging a postponement of the proceedings in order that proof of his insanity might